

Notices

Federal Register

Vol. 60, No. 56

Thursday, March 23, 1995

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 95-015-1]

Determination of Nonregulated Status for Additional Calgene, Inc., Genetically Engineered FLAVR SAVR™ Tomato Lines

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: The Animal and Plant Health Inspection Service is announcing that it has added 20 additional genetically engineered tomato lines to those subject to its October 19, 1992, interpretive ruling that the subject FLAVR SAVR™ lines need no longer be regulated. The effect of this action is that 20 additional delayed softening tomato lines, which have been modified by the incorporation of genetic material described by Calgene, Inc., in its initial request for an interpretive ruling, will no longer be subject to regulation under 7 CFR part 340.

FOR FURTHER INFORMATION CONTACT: Dr. Keith Reding, Biotechnologist, Animal and Plant Health Inspection Service, Biotechnology, Biologics, and Environmental Protection, Biotechnology Permits, 4700 River Road Unit 147, Riverdale, MD 20737-1228; (301) 734-7612.

SUPPLEMENTARY INFORMATION: On October 19, 1992, the Animal and Plant Health Inspection Service (APHIS) published in the **Federal Register** (57 FR 47608-47616, Docket No. 92-087-2) a notice announcing the issuance of an interpretive ruling that the Calgene, Inc., FLAVR SAVR™ tomato does not present a plant pest risk and is not a regulated article under the regulations contained in 7 CFR part 340. This action was in response to a petition submitted by Calgene seeking a determination

from APHIS that its FLAVR SAVR™ tomato no longer be deemed a regulated article, based on an absence of plant pest risk. The effect of the action was that previously field tested lines of the FLAVR SAVR™ tomato and their progeny would no longer be regulated under these regulations.

FLAVR SAVR™ tomatoes were defined by Calgene in its initial petition to include any tomatoes transformed with one of seven identified plasmid vectors that all carry an antisense copy of the tomato polygalacturonase gene and a bacterial neomycin phosphotransferase gene with associated regulatory sequences. Calgene's initial request to APHIS in 1992 was for a determination pertaining to all FLAVR SAVR™ transformants produced in tomatoes using any one of the seven plasmid vectors. Calgene indicated in its petition that data provided to the Agency were representative of the data gathered for all lines tested up to that time. The initial determination announced by APHIS on October 19, 1992, only applied to those lines that had already been field tested. However, APHIS indicated that new lines were likely to exhibit properties similar to those of lines already field tested under permit. The determination also allowed for cross-breeding of the identified FLAVR SAVR™ tomato lines with any other lines or cultivars of tomato without a permit. One additional FLAVR SAVR™ tomato line was added to the original determination on October 3, 1994 (59 FR 50220, Docket No. 94-096-1), and nine additional FLAVR SAVR™ tomato lines were added to the original determination on November 18, 1994 (59 FR 59746, Docket No. 94-125-1).

Seventeen of the 20 additional FLAVR SAVR™—tomato lines that are the subject of this notice were constructed using the plasmid vector pCGN4109, and the remaining three lines were constructed using the plasmid vector pCGN1436. These two vectors were among the seven included in Calgene's initial petition to APHIS. In our determination of October 19, 1992, the lines using these vectors were not deregulated because they had not been field tested. These lines have since been field tested in accordance with APHIS regulations at 7 CFR part 340, and data provided to APHIS indicate that the new transformants, produced in a

manner identical to the earlier transformant lines, behave similarly to those earlier FLAVR SAVR™ tomato lines to which the determination initially applied. Reports from field trials and other data indicate that the new tomato lines grow normally, exhibit the expected morphological, reproductive, and physiological properties, and do not have unexpected pest or disease susceptibility or symptoms. Therefore, the APHIS determination of nonregulated status of October 19, 1992, applies as well to the new transformed lines.

Done in Washington, DC, this 16th day of March 1995.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95-7132 Filed 3-22-95; 8:45 am]

BILLING CODE 3410-34-P

Forest Service

Southwest Oregon Provincial Interagency Executive Committee (PIEC), Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Southwest Oregon PIEC Advisory Committee will meet on April 20, 1995 at the Medford Bureau of Land Management Office, 3040 Biddle Road, Medford, Oregon. The meeting will begin at 9:30 a.m. and continue until 4:00 p.m. Agenda items to be covered include: (1) Context of the Advisory Committee; including background on the President's Forest Plan; (2) Introduction of members and orientation; (3) Meeting operating guidelines; (4) Mission and purpose of the Province Advisory Committee and its relationship to the PIEC; (5) Brief presentation by Advisory Committee members on who they represent; and (6) Open public forum. All Southwest Oregon Province Advisory Committee meetings are open to the public. Interested citizens are encouraged to attend.

FOR FURTHER INFORMATION CONTACT:

Direct questions regarding this meeting to Chuck Anderson, Province Advisory Committee staff, USDA, Rogue River National Forest, P.O. Box 520, Medford, Oregon 97501, 503-858-2322.

Dated: March 17, 1995.

James T. Gladen,

Forest Supervisor.

[FR Doc. 95-7211 Filed 3-22-95; 8:45 am]

BILLING CODE 3410-11-M

Forms Under Review by Office of Management and Budget

March 17, 1995.

The Department of Agriculture has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35) since the last list was published. This list is grouped into new proposals, revisions, extension, or reinstatements. Each entry contains the following information:

(1) Agency proposing the information collection; (2) Title the information collection; (3) Form number(s), if applicable; (4) Who will be required or asked to report; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) Name and telephone number of the agency contact person.

Questions about the items in the listing should be directed to the agency person named at the end of each entry. Copies of the proposed forms and supporting documents may be obtained from: Department Clearance Officer, USDA, OIRM, Room 404-W Admin. Bldg., Washington, DC 20250, (202) 690-2118.

Revision

- Rural Utilities Service
RUS Electric Loan Application and Related Reporting Burdens
RUS forms 740C, 740G, 7, 12, 325a-k, 341, 345, 726, 7a
Individuals or households; Business or other for-profit; Not-for-profit institutions; 3,447 responses; 120,268 hours
Sue Arnold, (202) 690-1078
- National Agricultural Statistics Service
Agricultural Prices
Business or other for-profit; Farms; 81,170 responses; 13,918 hours
Larry Gambrell, (202) 720-5778

Extension

- Food and Consumer Service
7 CFR Part 235-State Administrative Expense Funds
FNS-74, FNS-525
State, Local or Tribal Government; 100,036 responses; 34,461 hours
Angella Love, (703) 305-2607

New Collection

- Food and Consumer Service

Evaluation of Retailer Compliance Management Demonstrations In EBT-Ready States and Related Initiatives/Evaluation of Agreements With State Law Enforcement Bureaus (SLEB) State, Local or Tribal Government; 31 responses; 104 hours
Ken Offerman, (703) 305-2124.

Larry K. Roberson,

Deputy Departmental Clearance Officer.

[FR Doc. 95-7104 Filed 3-22-95; 8:45 am]

BILLING CODE 3410-01-M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

Action Affecting Export Privileges; Joseph Jeno Nandory

Order

The Office of Export Enforcement, Bureau of Export Administration, United States Department of Commerce (Department), having notified Joseph Jeno Nandory (Nandory) of its intention to initiate an administrative proceeding against him pursuant to Part 788 of the Export Administration Regulations (currently codified at 15 CFR Parts 768-799 (1994)) (the Regulations), issued pursuant to the Export Administration Act of 1979, as amended (50 U.S.C.A. app. §§ 2401-2420 (1991, Supp. 1993, and Pub. L. No. 103-277, July 5, 1994)) (the Act),¹ based on allegations that, Nandory, on or about December 6, 1989, in violation of Section 787.3(a) of the Regulations, attempted to export U.S.-origin computer-related equipment from the United States to Hungary, without obtaining from the Department the validated export license required by Section 772.1(b) of the Regulations;

The Department and Nandory having entered into a Consent Agreement whereby the Department and Nandory have agreed to settle this matter in accordance with the terms and conditions set forth therein, and the terms of the Consent Agreement having been approved by me;

It is therefore ordered,

First, that Joseph Jeno Nandory, shall, for a period of five years from the date of entry of this Order, be denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction in the United States or abroad involving any commodity or technical data exported or to be exported from the United States and subject to the Regulations.

¹ The Act expired on August 20, 1994. Executive Order 12924 (59 Fed. Reg. 43437, August 23, 1994) continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C.A. §§ 1701-1706 (1991)).

A. All outstanding individual validated export licenses in which Nandory appears or participates, in any manner or capacity, are hereby revoked and shall be returned forthwith to the Office of Exporter Services for cancellation. Further, all of Nandory's privileges of participating, in any manner or capacity, in any special licensing procedure, including, but not limited to, distribution licenses, are hereby revoked.

B. Without limiting the generality of the foregoing, participation, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (i) as a party or as a representative of a party to any export license application submitted to the Department; (ii) in preparing or filing with the Department any export license application or request for reexport authorization, or any document to be submitted therewith; (iii) in obtaining from the Department or using any validated or general export license, reexport authorization, or other export control document; (iv) in carrying on negotiations with respect to, or in receiving, ordering, buying, selling, delivering, storing, using, or disposing of, in whole or in part, any commodities or technical data exported or to be exported from the United States and subject to the Regulations; and (v) in financing, forwarding, transporting, or other servicing of such commodities or technical data.

C. After notice and opportunity for comment as provided in Section 788.3(c) of the Regulations, any person, firm, corporation, or business organization related to Nandory by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

D. As provided by Section 787.12(a) of the Regulations, without prior disclosure of the facts to and specific authorization of the Office of Exporter Services, in consultation with the Office of Export Enforcement, no person may directly or indirectly, in any manner or capacity: (i) apply for, obtain, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to an export or reexport of commodities or technical data by, to, or for another person then subject to an order revoking or denying his export privileges or then excluded from practice before the Bureau of Export Administration; or (ii) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate: (a) in any transaction which may involve any commodity or technical data exported